

GJP
UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

ANTWAUN YOUNG

v.

BUDDY SCHADT

and

JONES CHEMICALS, INC. a/k/a

JCI JONES CHEMICALS, INC.

19 2291

Notice of Removal

FILED

MAY 23 2019

To The United States District Court
For The Eastern District Of Pennsylvania:

KATE BARKMAN, Clerk
By _____ Dep. Clerk

The Defendants, Buddy Schadt and JCI Jones Chemicals, Inc. (incorrectly identified as Jones Chemicals, Inc. d/b/a JCI Jones Chemicals, Inc.), by and through the undersigned counsel, hereby files this Notice of Removal of the above-captioned action from the Court of Common Pleas of Philadelphia County, No. 190500142, where it is now pending, to the United States District Court for the Eastern District of Pennsylvania, pursuant to 28 U.S.C. §§1332, 1441 and 1446, and other applicable laws. In support of this removal, the defendant avers the following:

1. Attached as **Exhibit "A"** is a copy of the Plaintiff's Complaint in this action, which originated in the Court of Common Pleas of Philadelphia County, PA.
2. The complaint was filed on May 6, 2019 as indicated by the date stamp on said document.
3. The complaint was allegedly served on Defendant, Jones Chemicals a/k/a JCI Jones Chemicals, Inc. by certified mail on or about May 6, 2019.

4. Defendant, Buddy Schadt, resides at 77 Mullock Road, Middletown, New York and is a citizen of the State of New York.

5. Defendant, JCI Jones Chemicals, Inc. is a New York Corporation with a principle place of business at 1765 Ringling Boulevard, Sarasota, Florida, 34236.

6. The Plaintiff is a resident and citizen of New Jersey, as averred in ¶ 1 of the Complaint.

7. Pursuant to the provisions of 28 U.S.C. 1446(b), the Defendants are filing this Notice of Removal within thirty (30) days of the date of service of the complaint.

8. Pursuant to 28 U.S.C. §1332(a), the United States District Court has original jurisdiction over this case if the citizenship of all parties is completely diverse and the amounts in controversy exceed \$75,000.00, exclusive of interest and costs.

9. Defendants have a good faith belief that the amount in controversy exceeds \$75,000.

10. In terms of specific damages, Plaintiff, Antwaun Young pleads that he sustained serious and permanent injuries, including: unspecified internal injuries, and severe shock to his entire nervous system (¶20 of the Complaint), which resulted in loss of earnings and/ or earning capacity. (¶25).

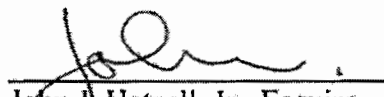
11. Additionally, Plaintiff, Antwaun Young pleads that he sustained an aggravation and exacerbation of injuries in this motor vehicle accident (¶21)

12. Pursuant to 28 U.S.C. §1441(a), venue properly lies in the Eastern District of Pennsylvania.

13. Pursuant to 28 U.S.C. §1446(d), the moving Defendants will simultaneously file a copy of this Notice of Removal with the Prothonotary of the Court of Common Pleas of Philadelphia County, and will serve a copy of same on all adverse parties.

WHEREFORE, the Defendants, Buddy Schadt and JCI Jones Chemicals, Inc., hereby remove this action, presently pending in the Court of Common Pleas of Philadelphia County, PA to the United States District Court for the Eastern District of Pennsylvania.

By:


John J. Hatzell, Jr., Esquire
Attorney for Defendant
PA I.D. # 38548
HADDIX AND ASSOCIATES
One Liberty Place – 39th Floor
1650 Market Street
Philadelphia, PA 19103
Phone: (215) 255-6400
Fax: (215) 933-3207
e-mail: John.Hatzell@AIG.com

**UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

ANTWAUN YOUNG

v.

BUDDY SCHADT

and

JONES CHEMICALS, INC. a/k/a

JCI JONES CHEMICALS, INC.

FILED

MAY 23 2019

KATE BARKMAN, Clerk
By _____ Dep. Clerk

Certificate of Service

I hereby certify that a true copy of the attached Notice of Removal was transmitted electronically upon the following counsel of record:

Steven L. Chung, Esquire
1515 Market Street, Suite 910
Philadelphia, PA 19102

By:

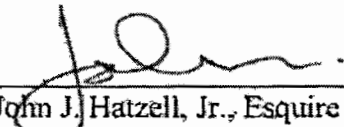

John J. Hatzell, Jr., Esquire
Attorney for Defendant
PA I.D. #38548
HADDIX AND ASSOCIATES
One Liberty Place - 39th Floor
1650 Market Street
Philadelphia, PA 19103
Phone: (215) 255-6400
Fax: (215) 933-3207
e-mail: John.Hatzell@AIG.com

EXHIBIT A

Plaintiff's Complaint

Court of Common Pleas of Philadelphia County
Trial Division
Civil Cover Sheet

For Prothonotary Use Only (Docket Number)

MAY 2019**000142**

E-Filing Number 1905012794

PLAINTIFF'S NAME
ANTWAUN YOUNG

DEFENDANT'S NAME
BUDDY SCHADT

PLAINTIFF'S ADDRESS
1445 GREENWOOD AVENUE
CAMDEN NJ 08103

DEFENDANT'S ADDRESS
77 MULLOCK ROAD
MIDDLETOWN NY 10940

PLAINTIFF'S NAME

DEFENDANT'S NAME
JONES CHEMICALS, INC., ALIAS: JCI JONES
CHEMICALS, INC.

PLAINTIFF'S ADDRESS

DEFENDANT'S ADDRESS
1765 RINGLING BOULEVARD
SARASOTA FL 34236

PLAINTIFF'S NAME

DEFENDANT'S NAME

PLAINTIFF'S ADDRESS

DEFENDANT'S ADDRESS

TOTAL NUMBER OF PLAINTIFFS

1

TOTAL NUMBER OF DEFENDANTS

2

COMMENCEMENT OF ACTION

- ☒ Complaint ☐ Petition Action ☐ Notice of Appeal
☐ Writ of Summons ☐ Transfer From Other Jurisdictions

AMOUNT IN CONTROVERSY

- ☐ \$50,000.00 or less
☒ More than \$50,000.00

COURT PROGRAMS

- ☐ Arbitration
☐ Jury
☒ Non-Jury
☐ Other.

- ☐ Mass Tort
☐ Savings Action
☐ Petition

- ☐ Commerce
☐ Minor Court Appeal
☐ Statutory Appeals

- ☐ Settlement
☐ Minors
☐ W/D/Survival

CASE TYPE AND CODE

2V - MOTOR VEHICLE ACCIDENT

STATUTORY BASIS FOR CAUSE OF ACTION

RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)

FILED
PRO PROTHY
MAY 06 2019

A. SILIGRINIIS CASE SUBJECT TO
COORDINATION ORDER?

YES NO

TO THE PROTHONOTARY

Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: ANTWAUN YOUNG

Papers may be served at the address set forth below.

NAME OF PLAINTIFFS/PETITIONERS/APPELLANT'S ATTORNEY

STEVEN L. CHUNG

ADDRESS

STEVEN L. CHUNG
1515 MARKET STREET
SUITE 910
PHILADELPHIA PA 19102

PHONE NUMBER

(215) 688-5777

FAX NUMBER

(215) 525-9785

SUPREME COURT IDENTIFICATION NO

78834

E-MAIL ADDRESS

schung@paesquire.com

SIGNATURE OF FILING ATTORNEY OR PARTY

STEVEN CHUNG

DATE SUBMITTED

Monday, May 06, 2019, 03:01 pm

STEVEN L. CHUNG, ESQUIRE, LLC
Steven L. Chung, Esquire
Identification No. 78834
1515 Market Street, Suite 910
Philadelphia, PA 19102

Filed and Attested by the
Office of Judicial Records
06 MAY 2019 03:01 pm
STENOGRAPHY
PHILADELPHIA COUNTY

Attorney for Plaintiff

ANTWAUN YOUNG
1445 Greenwood Avenue
Camden, NJ 08103

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

No. 190500142

Plaintiff

v

BUDDY SCHADT
77 Mullock Road
Middletown, NY 10940
and
JONES CHEMICALS, INC.
a/k/a JCI JONES CHEMICALS, INC.
1765 Ringling Boulevard
Sarasota, FL 34236

Defendant

CIVIL ACTION - COMPLAINT

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you. *You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.*

Philadelphia County Bar Association
Lawyer Referral Legal and Information Service
One Reading Center
Philadelphia, PA 19107
(215) 238-1701

ADVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademais, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted. *Usted debe llevar esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente de pagar tal servicio. Vaya en persona o llame por telefono a la oficina cuya direccion se encuentra escrita abajo para averiguar donde se puede asegurar asistencia legal.*

Asociacion de Licenciados
de Philadelphia County
Servicio de Referencia e
Informacion Legal
One Reading Center
Philadelphia, PA 19107
(215) 238-1701

STEVEN L. CHUNG, ESQUIRE, LLC
Steven L. Chung, Esquire
Identification No. 78834
1515 Market Street, Suite 910
Philadelphia, PA 19102

Attorney for Plaintiff

ANTWAUN YOUNG
1445 Greenwood Avenue
Camden, NJ 08103

Plaintiff

v.

BUDDY SCHADT
77 Mullock Road
Middletown, NY 10940
and
JONES CHEMICALS, INC.
a/k/a JCI JONES CHEMICALS, INC.
1765 Ringling Boulevard
Sarasota, FL 34236

Defendant

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

No. 190500142

COMPLAINT

1. Plaintiff, Antwaun Young, is an adult individual and resides at 1445 Greenwood Avenue, Camden, NJ.
2. Defendant, Buddy Schadt, is an adult individual and resides at 77 Mullock Road, Middletown, NY.
3. Defendant, Jones Chemicals, Inc. a/k/a JCI Jones Chemicals, Inc. (hereinafter "Jones Chemicals, Inc."), is a business entity with a place of business located at 1765 Ringling Boulevard, Sarasota, FL. Upon information and belief, this defendant regularly conducts business in the county in which this action is filed.
4. The below described accident was caused solely by the negligence and carelessness of the Defendants and/or its agents, servants, workman and employee and was in no manner due to any act or omission on the party of the Plaintiff.

5. At all times material hereto, Defendant, Buddy Schadt, was the permissive driver of defendant, Jones Chemicals, Inc. a/k/a JCI Jones Chemicals, Inc., and was acting in the course and scope of his employment and defendant, Jones Chemical, Inc., is vicariously liable for the actions or failure to act of its agent, servant, workman or employee, Buddy Schadt.

6. On or about May 24, 2017, Plaintiff, Antwaun Young, was the occupant of a motor vehicle that was on US-22, Whitehall, PA, when his vehicle was rear-ended by a vehicle operated by defendant, Buddy Schadt, causing the Plaintiff to suffer severe and permanent injuries.

7. The above described accident was caused solely by the negligence and/or carelessness of the Defendant and was in no manner due to any act or omission on the part of the Plaintiff.

COUNT I - Negligence
Plaintiff, Antwaun Young v. Defendant, Buddy Schadt

8. Plaintiff, Antwaun Young, incorporates herein by reference the allegations contained in the above paragraphs as though the same were herein set forth at length.

9. The aforesaid accident was caused by the negligence and/or carelessness of the defendant, Buddy Schadt, which consisted, inter alia, of:

- a. operating the vehicle at an excessive rate of speed under the circumstances;
- b. failing to have the vehicle under proper and adequate control;
- c. failing to apply the brakes in time to avoid a collision;
- d. failing to operate the vehicle in accordance with existing traffic conditions and traffic controls;
- e. operating the vehicle in a negligent and careless manner;
- f. failing to keep a reasonable lookout for other lawfully vehicles on the road;
- g. failing to have the vehicle under proper and adequate control;
- h. failing to maintain a safe distance;
- i. rear-ending plaintiffs' vehicle.

- j. violating applicable provisions of the motor vehicle code of the Commonwealth of Pennsylvania and such other statutes and case law governing the operation of motor vehicles on the streets and highways.

10. As a direct and proximate result of the aforesaid negligence of defendant, Buddy Schadt, plaintiff, Antwaun Young, suffered severe and permanent injuries to the body.

11. As a direct and proximate result of the aforesaid negligence of defendant, Buddy Schadt, plaintiff, Antwaun Young, suffered internal injuries of an unknown nature, suffered severe aches, pains and anguish and a severe shock to the entire nervous system and other injuries the full extent of which is not yet known.

12. As a direct and proximate result of the aforesaid negligence of defendant, Buddy Schadt, plaintiff, Antwaun Young, sustained an aggravation and exacerbation of injuries both known and unknown. He has in the past and will in the future undergo severe pain and suffering as a result of which he has been in the past and will in the future be unable to attend to his usual duties and affairs, all to his great financial detriment and loss.

13. As a direct and proximate result of the aforesaid negligence of defendant, Buddy Schadt, plaintiff, Antwaun Young, has been compelled in order to effectuate a cure for the aforesaid injuries, to expend large sums of money for medicine and medical attention and may be required to expend additional sums for the same purpose in the future.

14. As a direct and proximate result of the aforesaid negligence of defendant, Buddy Schadt, plaintiff, Antwaun Young, has been prevented from attending to his usual daily activities and duties, and may be so prevented for an indefinite period of time in the future, all to his great detriment and loss.

15. As a direct and proximate result of the aforesaid negligence of defendant, Buddy Schadt, plaintiff, Antwaun Young, has suffered physical pain and mental anguish and humiliation and may continue to suffer the same for an indefinite period of time in the future.

16. As a direct and proximate result of the aforesaid negligence of defendant, Buddy Schadt, plaintiff, Antwaun Young, has suffered lost wages.

WHEREFORE, plaintiff, Antwaun Young, demands judgment in her favor and against defendant(s), in a sum in excess of Fifty Thousand Dollars (\$50,000) plus costs, delay damages, pre and post judgment interest, attorney fees, and all other relief provided by law.

COUNT II - Negligence
Plaintiff, Antwaun Young v. Defendant, Jones Chemicals, Inc.

17. Plaintiff, Antwaun Young, incorporates herein by reference the allegations contained in the above paragraphs as though the same were herein set forth at length.

18. The aforesaid accident was caused by the negligence and/or carelessness of the defendant, Jones Chemicals, Inc., and/or its agent, servant, workman or employee which consisted, inter alia, of:

- a. operating the vehicle at an excessive rate of speed under the circumstances;
- b. failing to have the vehicle under proper and adequate control;
- c. failing to apply the brakes in time to avoid a collision;
- d. failing to operate the vehicle in accordance with existing traffic conditions and traffic controls;
- e. operating the vehicle in a negligent and careless manner;
- f. failing to keep a reasonable lookout for other lawfully vehicles on the road;
- g. failing to have the vehicle under proper and adequate control;
- h. failing to maintain a safe distance;
- i. rear-ending plaintiffs' vehicle.
- j. violating applicable provisions of the motor vehicle code of the Commonwealth of Pennsylvania and such other statutes and case law governing the operation of motor vehicles on the streets and highways.

19. As a direct and proximate result of the aforesaid negligence of defendant, Jones Chemicals,

Inc., plaintiff, Antwaun Young, suffered severe and permanent injuries to the body.

20. As a direct and proximate result of the aforesaid negligence of defendant, Jones Chemicals, Inc., plaintiff, Antwaun Young, suffered internal injuries of an unknown nature, suffered severe aches, pains and anguish and a severe shock to the entire nervous system and other injuries the full extent of which is not yet known.

21. As a direct and proximate result of the aforesaid negligence of defendant, Jones Chemicals, Inc., plaintiff, Antwaun Young, sustained an aggravation and exacerbation of injuries both known and unknown. He has in the past and will in the future undergo severe pain and suffering as a result of which he has been in the past and will in the future be unable to attend to his usual duties and affairs, all to his great financial detriment and loss.

22. As a direct and proximate result of the aforesaid negligence of defendant, Jones Chemicals, Inc., plaintiff, Antwaun Young, has been compelled in order to effectuate a cure for the aforesaid injuries, to expend large sums of money for medicine and medical attention and may be required to expend additional sums for the same purpose in the future.

23. As a direct and proximate result of the aforesaid negligence of defendant, Jones Chemicals, Inc., plaintiff, Antwaun Young, has been prevented from attending to his usual daily activities and duties, and may be so prevented for an indefinite period of time in the future, all to his great detriment and loss.

24. As a direct and proximate result of the aforesaid negligence of defendant, Jones Chemicals, Inc., plaintiff, Antwaun Young, has suffered physical pain and mental anguish and humiliation and may continue to suffer the same for an indefinite period of time in the future.

25. As a direct and proximate result of the aforesaid negligence of defendant, Jones Chemicals, Inc., plaintiff, Antwaun Young, has suffered lost wages

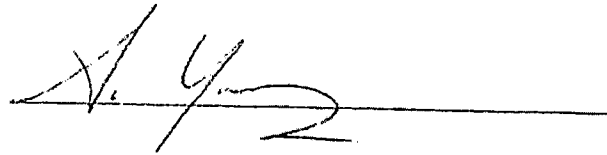
WHEREFORE, plaintiff, Antwaun Young, demands judgment in her favor and against defendant(s), in a sum in excess of Fifty Thousand Dollars (\$50,000) plus costs, delay damages, pre and post judgment interest, attorney fees, and all other relief provided by law.

STEVEN L. CHUNG, ESQUIRE, LLC

BY: /S/
Steven L. Chung, Esquire
Attorney for Plaintiffs

VERIFICATION

I, Antwaun Young, deposes and says that the statements made
in the attached Complaint are true and correct, and understands
that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to
unsworn falsification to authorities

A handwritten signature, appearing to be 'A. Young', is written over a horizontal line.

Date: 5/6/19

JS 44 (Rev. 6/617)

CIVIL COVER SHEET

5:19-cv-2291

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet.

I. (a) PLAINTIFFS

ANTWAUN YOUNG

(b) County of Residence of First Listed Plaintiff Camden County, NJ
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Steven L. Chung, Esquire / Steven L. Chung, LLC
11515 Market Street, Suite 910, Philadelphia, PA
(215) 688-5777

DEFENDANTS

BUDDY SCHADT AND JONES CHEMICALS, INC. aka
JCI JONES CHEMICALS, INC.

County of Residence of First Listed Defendant Orange County, NY
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)
John J. Hatzell, Jr., Esquire / Haddix and Associates
1650 Market Street, 39th Fl. Philadelphia, PA
(215) 255-8400

II. BASIS OF JURISDICTION

(Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF |
|---|-------------------------------------|-------------------------------------|
| Citizen of This State | <input type="checkbox"/> | <input type="checkbox"/> |
| Citizen of Another State | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Citizen or Subject of Foreign Country | <input type="checkbox"/> | <input type="checkbox"/> |
| Incorporated or Principal Place of Business in This State | <input type="checkbox"/> | <input type="checkbox"/> |
| Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Foreign Nation | <input type="checkbox"/> | <input type="checkbox"/> |

IV. NATURE OF SUIT

(Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input checked="" type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor-Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 750 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 855 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (13920) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS Third Party 26 USC 7609
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS <input type="checkbox"/> Habeas Corpus; <input type="checkbox"/> 503 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> Other: <input type="checkbox"/> 549 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 424 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Kickback Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 890 Other Securities Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity).

28 USC Secs 1332, 1441 and 1446

Brief description of cause

Plaintiff claims he was injured in a motor vehicle accident.

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.C.P.

DEMAND \$

CHECK YES only if demanded in complaint

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions)

JUDGE

DOCKET NUMBER

MAY 23 2019

DATE

SIGNATURE OF ATTORNEY OF RECORD

05/23/2019

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG JUDGE

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

19

2291

DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: Antwaun Young, 1445 Greenwood Ave., Camden, NJ 08103

Address of Defendant: Jones Chemicals, Inc., 1765 Ringling Blvd, Sarasota, FL 34235, Buddy Schadt, 77 Mullock Road, Middletown, NY 19040

Place of Accident, Incident or Transaction: US-22, Whitehall, PA

RELATED CASE, IF ANY:

Case Number: Judge: Date Terminated:

Civil cases are deemed related when Yes is answered to any of the following questions

- | | | | |
|---|---|------------------------------|--|
| 1 | Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2 | Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3 | Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4 | Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case ☐ is / ☒ is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE 05/23/2019

Attorney-at-Law / Pro Se Plaintiff

38548

Attorney ID # (if applicable)

CIVIL: (Place a ✓ in one category only)

A. Federal Question Cases:

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts
- ☐ 2. FELA
- ☐ 3. Jones Act-Personal Injury
- ☐ 4. Antitrust
- ☐ 5. Patent
- ☐ 6. Labor-Management Relations
- ☐ 7. Civil Rights
- ☐ 8. Habeas Corpus
- ☐ 9. Securities Act(s) Cases
- ☐ 10. Social Security Review Cases
- ☐ 11. All other Federal Question Cases
- (Please specify) _____

B. Diversity Jurisdiction Cases:

- ☐ 1. Insurance Contract and Other Contracts
- ☐ 2. Airplane Personal Injury
- ☐ 3. Assault, Defamation
- ☐ 4. Marine Personal Injury
- ☒ 5. Motor Vehicle Personal Injury
- ☐ 6. Other Personal Injury (Please specify) _____
- ☐ 7. Products Liability
- ☐ 8. Products Liability - Asbestos
- ☐ 9. All other Diversity Cases
- (Please specify) _____

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration)

I, _____, counsel of record or pro se plaintiff, do hereby certify

- ☐ Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs
- ☐ Relief other than monetary damages is sought.

MAY 23 2019

DATE

Attorney-at-Law / Pro Se Plaintiff

Attorney ID # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F R C P 38

GJP

APPENDIX I

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIACASE MANAGEMENT TRACK DESIGNATION FORM

ANTWAUN YOUNG

CIVIL ACTION

v.

BUDDY SCHADT AND JONES
CHEMICALS, INC. A/K/A
JCI CHEMICALS, INC.NO **19** **2291**

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. §2241 through §2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.)
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (✓)

5/23/19
Date

John Hatzell
Attorney-at-law

DEFENDANTS
Attorney for

215-255-6400
Telephone

215-933-3207
FAX Number

john.hatzell@aig.com
E-Mail Address

MAY 23 2019